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MILLA, MARK R				
ART UNIT		PAPER NUMBER		
2625				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com

# Office Action Summary

## Application No.

10/730,110

## Applicant(s)

MORIKAWA ET AL.

## Examiner

Mark R. Milia

## Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,6,8,9,11,13,14 and 16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6,8,9,11,13,14 and 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/18/08 has been entered. Currently, claims 1, 3-4, 6, 8-9, 11, 13-14, and 16 are pending.

### ***Response to Arguments***

2. Applicant's arguments filed 9/18/08 have been fully considered but they are not persuasive.

Applicant asserts that the combination of Salgado (US 6,504,621) and Mishima (JP 11-041429) fails to disclose or suggest at least discriminating whether an activation instruction of the scanning job is made by said operation device or from an outside in cases where a request for processing the image data of the scanning job by said one or a plurality of compressing/expanding devices is made when the data of the external job is being compressed or expanded by said one or a plurality of compressing/expanding devices, and controls execution of the external job and the scanning job by said one or

a plurality of compressing/expanding devices depending on the discrimination result and making said one or a plurality of compressing/expanding devices execute processing of the external job and that of the scanning job in parallel when an activation instruction is made by the operation device, and making one or a plurality of compressing/expanding devices execute processing of the scanning job after completion of processing of the external job when the activation instruction of the scanning job is made from outside, as recited in claims 1, 6, and 11. The examiner respectfully disagrees as the combination of Salgado and Mishima does disclose such features. Particularly, Salgado discloses a plurality of different job types, for example, copy/scan jobs, net print jobs, and fax jobs. The net print jobs are any jobs originating from the network service module (ESS) or network, such as a scanning job, which would then be a scanning job from an outside source (see column 11 lines 27-31 and 38-45 and column 12 lines 1-10). Salgado further states that a scanner or image input terminal (IIT) compresses the read image data and stores the data in memory and that the IIT and printer or image output terminal (IOT) are coupled to compressor **62** and decompressor **64** (see column 6 lines 52-61 and column 8 lines 45-49). Salgado also discloses that job priority can be created specifically taking into account system resources, such as compression/decompression. Thus, when a current job is utilizing a particular system resource and a new job is to be processed that needs the same system resource an algorithm is executed to determine the job with the highest priority and ultimately determines which job is to utilize the system resource (see column 16 line 61-column 17 line 32). Therefore, Salgado discloses the ability to activate a scanning job from an outside source and discriminating

whether an activation instruction of the scanning job is made by an operation device of the image data processor or from an outside in cases where a request for processing the image data of the scanning job is made when the data of the external job is utilizing a particular system resource, such as compressor **62** or decompressor **64**. Further, Salgado discloses making one or a plurality of compressing/expanding devices execute processing of the scanning job after completion of processing of the external job when the activation instruction of the scanning job is made from outside, as this is just a type or priority setting based on system resources with an external job having priority over a scanning job, which is disclosed by Salgado (see column 16 line 61-column 17 line 6).

Mishima discloses a system for performing compression/elongation including four compression/elongation processing sections. Mishima also discloses three modes in which the system executes, (image input mode, copy mode, and printing mode). In image input mode, which performs only reading of the image data with the image reader section (scanner), all four compression/elongation processing sections are used for compression. In copy mode, two of the four compression/elongation processing sections are used for compression and the other two compression/elongation processing sections are used for elongation. In print mode, all four compression/elongation processing sections are used for elongation (see paragraphs 11-15, 35 lines 1-10 and 34-37 and 36 lines 1-4). Therefore, based on the source of the image data and the type of processing, execution of the compression/expanding device is controlled appropriately. Specifically taking the case of a copy mode into consideration, a copy mode is made up of two parts, scanning and printing, and

therefore two separated processes are occurring in parallel and the compression/elongation processing sections are utilized to optimize processing by using two of the four compression/elongation processing sections are used for compression and the other two compression/elongation processing sections are used for elongation.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Salgado and Mishima to arrive at the claimed invention because Salgado acknowledges that compression/decompression of image data is necessary in the processing of image data (see column 8 lines 45-49) and adjustments to the manner in which the compressing/decompressing devices operate are commonly implemented and at times necessary to successfully performing the interruption processing of image data, such as walk-up jobs like scanning/copying. Salgado also realizes the need to determine the source of a job to successfully determine priority and manage system resources. Mishima presents a method for compression/decompression adjustments based on the image processing being performed. It would have been obvious to take the basic concepts set forth by Mishima and combine them with the system of Salgado to execute compression/decompression based on the type of job desiring execution, whether processing jobs parallel or one at a time.

Therefore, the rejection set forth in the previous Office Action is maintained.

***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1, 3-4, 6, 8-9, 11, 13-14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,504,621 to Salgado in view of Japanese Patent Document No. 11-041429 to Mishima as cited in the Information Disclosure Statement dated 10/28/05. Reference will be made to a machine translation that was furnished with a previous Office Action.

Regarding claim 1, Salgado discloses a data processing apparatus, comprising: an image reader for reading an original (see Fig. 1 and column 6 lines 6-12), a receiver capable of receiving an external job transmitted from an outside (see Figs. 1, 2, and 6-10 and column 6 lines 39-50, image input terminal IIT receives jobs via a network service module **14**, such a job may originate from a host device), a print device for printing data of the external job received by said receiver (see Fig. 1 and column 6 lines 17-21), one or a plurality of compressing/expanding devices for compressing the image data of the scanning job or the data of the external job and expanding the compressed data (see column 8 lines 45-49), an operation device for instructing an activation of the scanning job in accordance with an operation of a user (see column 6 lines 6-7, and column 10 line 45-column 11 line 26, VCM **16** coordinates the operation of the scanner and printer based on a Key Operation/System Administrator, KO/SA algorithm), and a controller that discriminates whether an activation instruction of the scanning job is

made by said operation device or from an outside in cases where a request for processing the image data of the scanning job is made when the data of the external job is being processed, and controls execution of the external job and the scanning job depending on the discrimination result (see Figs. 8-10, column 10 line 45-column 11 line 6, column 11 lines 16-20, 29-31, and 40-42, column 13 lines 54-60, column 14 lines 47-53, column 15 lines 64-67, column 16 lines 6-16 and 50-51, column 16 line 61-column 17 line 6, and column 17 lines 22-41, controller **44** in conjunction with VCM **16** and the KO/SA algorithm determine priority of jobs to be executed based of factors such as job type and marking resource, therefore if a job resource is being used by a job and another job is received that will utilize the same resource a determination is made based on preset rules to determine which job is to be processed, based on such criteria as job type priority and marking resource priority), and wherein said controller makes said one or plurality of compressing/expanding devices execute the processing of the scanning job after a completion of the processing of the external job when it is discriminated that the activation instruction of the scanning job is made from an outside (see column 16 line 61-column 17 line 6, and column 17 lines 22-41, reference sets execution of jobs based on priority in relation to system resources, such as compression/decompression).

Salgado does not disclose expressly a transmitter capable of transmitting image data of the original read by said image reader as a scanning job to an outside, a controller that discriminates whether an activation instruction of the scanning job is made by said operation device or from an outside in cases where a request for



processing the image data of the scanning job by said one or a plurality of compressing/expanding devices is made when the data of the external job is being compressed or expanded by said one or a plurality of compressing/expanding devices, and controls execution of the external job and the scanning job by said one or a plurality of compressing/expanding devices depending on the discrimination result and wherein said controller makes said one or plurality of compressing/expanding devices execute processing of the external job and that of the scanning job in parallel when it is discriminated that the activation instruction of the scanning job is made by said operation device.

Mishima discloses a transmitter capable of transmitting image data of the original read by said image reader as a scanning job to an outside (see paragraph 18), a plurality of compressing/expanding devices for compressing the image data of the scanning job or the data of the external job and expanding the compressed data (see paragraphs 2, 7-9, 11-19, 35-36, and 45-46), and a controller that discriminates whether an activation instruction of the scanning job is made by said operation device or from an outside in cases where a request for processing the image data of the scanning job by said one or a plurality of compressing/expanding devices is made when the data of the external job is being compressed or expanded by said one or a plurality of compressing/expanding devices, and controls execution of the external job and the scanning job by said one or a plurality of compressing/expanding devices depending on the discrimination result, and wherein said controller makes said one or plurality of compressing/expanding devices execute processing of the external job and that of the

scanning job in parallel when it is discriminated that the activation instruction of the scanning job is made by said operation device (see paragraphs 11, 15, and 35-36, reference discloses a copy mode, which is made up of a scanning and printing being performed in parallel, in which two of the four compression/elongation processing sections are used for compression and the other two compression/elongation processing sections are used for elongation).

Regarding claim 6, Salgado discloses a data processing method, comprising the steps of: reading an original by an image reader (see Fig. 1 and column 6 lines 6-12), receiving an external job transmitted from an outside (see Figs. 1, 2, and 6-10 and column 6 lines 39-50, image input terminal IIT receives jobs via a network service module **14**, such a job may originate from a host device), printing received data of the external job (see Fig. 1 and column 6 lines 17-21), and discriminating whether an activation instruction of the scanning job is made by an operation device of its apparatus or from an outside when a request for processing data of the scanning job by one or a plurality of compressing/expanding devices when the data of the external job is currently being compressed or expanded by one or a plurality of compressing/expanding devices, and controls the execution of the external job and that of the scanning job by one or plurality of compressing/expanding devices depending on the discrimination result (see Figs. 8-10, column 10 line 45-column 11 line 6, column 11 lines 16-20, 29-31, and 40-42, column 13 lines 54-60, column 14 lines 47-53, column 15 lines 64-67, column 16 lines 6-16 and 50-51, column 16 line 61-column 17 line 6, and column 17 lines 22-41, controller **44** in conjunction with VCM **16** and the KO/SA algorithm determine priority of

jobs to be executed based of factors such as job type and marking resource, therefore if a job resource is being used by a job and another job is received that will utilize the same resource a determination is made based on preset rules to determine which job is to be processed, based on such criteria as job type priority and marking resource priority), and wherein said one or plurality of compressing/expanding devices execute the processing of the scanning job after a completion of the processing of the external job when it is discriminated that the activation instruction of the scanning job is made from an outside (see column 16 line 61-column 17 line 6, and column 17 lines 22-41, reference sets execution of jobs based on priority in relation to system resources, such as compression/decompression).

Salgado does not disclose expressly transmitting image data of the original read by the image reader to an outside as a scanning job, discriminating whether an activation instruction of the scanning job is made by an operation device or from an outside when a request for processing data of the scanning job by one or a plurality of compressing/expanding devices when the data of the external job is currently being compressed or expanded by one or a plurality of compressing/expanding devices, and controls execution of the external job and that of the scanning job by one or a plurality of compressing/expanding devices depending on the discrimination result and wherein said one or plurality of compressing/expanding devices execute processing of the external job and that of the scanning job in parallel when it is discriminated that the activation instruction of the scanning job is made by said operation device.

Mishima discloses transmitting image data of the original read by the image reader to an outside as a scanning job (see paragraph 18), a plurality of compressing/expanding devices for compressing the image data and expanding the compressed data (see paragraphs 2, 7-9, 11-19, 35-36, and 45-46), discriminating whether an activation instruction of the scanning job is made by an operation device or from an outside when a request for processing data of the scanning job by one or a plurality of compressing/expanding devices when the data of the external job is currently being compressed or expanded by one or a plurality of compressing/expanding devices, and controls execution of the external job and that of the scanning job by one or a plurality of compressing/expanding devices depending on the discrimination result, and wherein said one or plurality of compressing/expanding devices execute processing of the external job and that of the scanning job in parallel when it is discriminated that the activation instruction of the scanning job is made by said operation device (see paragraphs 11, 15, and 35-36, reference discloses a copy mode, which is made up of a scanning and printing being performed in parallel, in which two of the four compression/elongation processing sections are used for compression and the other two compression/elongation processing sections are used for elongation).

Regarding claim 11, Salgado discloses a data processing apparatus, comprising: an image reader for reading an original (see Fig. 1 and column 6 lines 6-12), a receiver capable of receiving an external job transmitted from an outside (see Figs. 1, 2, and 6-10 and column 6 lines 39-50, image input terminal IIT receives jobs via a network service module 14, such a job may originate from a host device), a

compressing/expanding device for compressing data and expanding the compressed data (see column 8 lines 45-49), an operation device for instructing an activation of a scanning job in accordance with an operation of a user (see column 6 lines 6-7, and column 10 line 45-column 11 line 26, VCM **16** coordinates the operation of the scanner and printer based on a Key Operation/System Administrator, KO/SA algorithm), and a controller that discriminates whether the activation instruction of the scanning job is made by said operation device or from an outside in cases where a request for processing the image data of the scanning job by said compressing/expanding device is made when data of the external job is currently being compressed or expanded by said compressing/expanding device, and controls execution of the external job and that of the scanning job by said compressing/expanding device depending on the discrimination result (see Figs. 8-10, column 10 line 45-column 11 line 6, column 11 lines 16-20, 29-31, and 40-42, column 13 lines 54-60, column 14 lines 47-53, column 15 lines 64-67, column 16 lines 6-16 and 50-51, column 16 line 61-column 17 line 6, and column 17 lines 22-41, controller **44** in conjunction with VCM **16** and the KO/SA algorithm determine priority of jobs to be executed based of factors such as job type and marking resource, therefore if a job resource is being used by a job and another job is received that will utilize the same resource a determination is made based on preset rules to determine which job is to be processed, based on such criteria as job type priority and marking resource priority) and wherein said controller makes said one or plurality of compressing/expanding devices execute the processing of the scanning job after a completion of the processing of the external job when it is discriminated that the

activation instruction of the scanning job is made from an outside (see column 16 line 61-column 17 line 6, and column 17 lines 22-41, reference sets execution of jobs based on priority in relation to system resources, such as compression/decompression).

Salgado does not disclose expressly a transmitter capable of transmitting image data of the original read by said image reader as a scanning job to an outside, a controller that discriminates whether the activation instruction of the scanning job is made by said operation device or from an outside in cases where a request for processing the image data of the scanning job by said compressing/expanding device is made when the data of the external job is currently being compressed or expanded by said compressing/expanding device, and controls execution of the external job and the scanning job by said compressing/expanding device depending on the discrimination result and wherein said controller makes said one or plurality of compressing/expanding devices execute processing of the external job and that of the scanning job in parallel when it is discriminated that the activation instruction of the scanning job is made by said operation device.

Mishima discloses a transmitter capable of transmitting an image data of the original read by said image reader as a scanning job to an outside (see paragraph 18), a compressing/expanding device for compressing data and expanding the compressed data (see paragraphs 2, 7-9, 11-19, 35-36, and 45-46), and a controller that discriminates whether the activation instruction of the scanning job is made by said operation device or from an outside in cases where a request for processing the image data of the scanning job by said compressing/expanding device is made when data of

the external job is currently being compressed or expanded by said compressing/expanding device, and controls execution of the external job and that of the scanning job by said compressing/expanding device depending on the discrimination result and wherein said controller makes said one or plurality of compressing/expanding devices execute processing of the external job and that of the scanning job in parallel when it is discriminated that the activation instruction of the scanning job is made by said operation device (see paragraphs 11, 15, and 35-36, reference discloses a copy mode, which is made up of a scanning and printing being performed in parallel, in which two of the four compression/elongation processing sections are used for compression and the other two compression/elongation processing sections are used for elongation).

**KSR analysis – Applying a Known Technique to a Known Device (Method, or Product) Ready for Improvement to Yield Predictable Results**

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the use of plural compressing/expanding devices to process image data in parallel and adjust image data routing to the compressing/expanding devices depending on the type of image process being performed, as described by Mishima, with the system of Salgado. Salgado discloses a system that assigns priority to jobs based on where they originate, job type, or available system resources. Salgado also acknowledges that compression/decompression of image data is necessary in the processing of image data. Mishima discloses a system for performing compression/elongation including four compression/elongation

processing sections. Mishima discloses three modes in which the system executes, (image input mode, copy mode, and printing mode). In image input mode, which performs only reading of the image data with the image reader section (scanner), all four compression/elongation processing sections are used for compression. In copy mode, two of the four compression/elongation processing sections are used for compression and the other two compression/elongation processing sections are used for elongation. In print mode, all four compression/elongation processing sections are used for elongation. Specifically taking the case of a copy mode into consideration, a copy mode is made up of two parts, scanning and printing, and therefore two separated processes are occurring in parallel and the compression/elongation processing sections are utilized to optimize processing by using two of the four compression/elongation processing sections are used for compression and the other two compression/elongation processing sections are used for elongation. Therefore, based on the source of the image data and the type of processing, execution of the compression/expanding device is controlled appropriately. It would have been obvious to one of ordinary skill in the art that in executing the invention set forth by Salgado that adjustments to the manner in which the compressing/decompressing devices operate, such as by compressing/decompressing an external job and a scanning job in parallel, are needed to successfully perform the interruption processing of image data, such as walk-up jobs like scanning/copying. Mishima presents a method for such compression/decompression adjustments based on the image processing being performed.



Therefore, it would have been obvious to combine Mishima with Salgado to obtain the invention as specified in claims 1, 6, and 11.

Regarding claims 3, 8, and 13, Mishima further discloses wherein said controller makes said one or plurality of compressing/expanding devices execute the processing of the external job and that of the scanning job in parallel by switching the processing of the external job and that of the scanning job in turn (see paragraphs 11, 15, and 35-36).

Regarding claims 4, 9, and 14, Mishima further discloses wherein said controller assigns at least one of said plurality of compressing/expanding devices to the processing of the external job and that of the scanning job, respectively, to thereby execute these processing in parallel (see paragraphs 11, 15, and 35-36).

Regarding claim 16, Salgado further discloses a print device for printing the data of the external job received by said receiver (see Fig. 1 and column 6 lines 17-21).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571)272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached at (571) 272-7437. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mark R. Milia  
Examiner  
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/Mark R. Milia/  
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